

In re: New York City Policing During Summer 2020 Demonstrations, No. 20 Civ. 8924 (CM)(GWG)

Conforti Report and Related Materials:
Version Two of Defendants' Second Amended Privilege Log, 4/19/2022

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
1.	"Conforti Report"	Final draft of after-action report regarding NYPD policing of George Floyd related protests in NYC from May 25 – June 30, 2020	Assistant Chief Thomas Conforti	Draft after-action review of protests in NYC between May 25-June 30, 2020, and response by NYPD, presenting the author's personal opinions as to the efficacy of existing NYPD protocols for responding to mass demonstrations and other relevant protocols, as well as draft suggestions for amending certain agency policies and procedures	Prepared at the direction of then-NYPD Commissioner Shea and distributed to various NYPD Chiefs, the entirety of whose identities are unknown as of present, but which included Deputy Commissioner for Legal Matters Ernest F. Hart	August 15-20, 2020	Deliberative Process Privilege
2.	"Notes – Intro – Methodology – Timeline"	Handwritten notes by Conforti totaling 6 pages, regarding preparation of draft report	Assistant Chief Thomas Conforti	Conforti's notes regarding thoughts and ideas for the introductory and methodology sections of his draft after-action report regarding NYPD response to George Floyd related protests from May 25-June 30, 2020	Not Applicable (N/A)	Undated	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
3.	“Notes – EDP Story – Protest”	Seven-page document consisting of a mix of typed and handwritten notes, some in bulleted outline format, by Conforti regarding an incident at a protest	Assistant Chief Thomas Conforti	Conforti’s notes about an incident involving an emotionally disturbed person (“EDP”) at a protest and Conforti’s personal assessment of the propriety of police actions taken	N/A	Undated	Deliberative Process Privilege
4.	“Email Thread Re: Media Interviews & Inquiries – DCPI”	Six-page document comprised of print-outs of two separate emails: (1) one dated 7/7/2020, from Denise Moroney of NYPD to Asst. Chief Conforti, copying G.E. Sylvester of NYPD, with subject line “Allison McCann,” regarding a media inquiry from Ms. McCann at the <i>New York Times</i> ; and (2) a second email dated 7/6/2020, from DCPI at	Denise Moroney, NYPD; DCPI (NYPD)	The first email in this pdf file is dated 7/7/2020, from Denise Moroney of NYPD to Asst. Chief Conforti, copying G.E. Sylvester of NYPD, with subject line “Allison McCann,” discussing a media inquiry from Ms. McCann at the <i>New York Times</i> , including a draft response from NYPD to the same. The second email in this pdf is dated 7/6/2020 and was sent from DCPI at NYPD to DCPI at NYPD, with subject “The Outlook – Monday, July 6, 2020;” it contains a list of other media inquiries plus draft responses from the NYPD to each one.	Assistant Chief Thomas Conforti; G.E. Sylvester (cc); DCPI (NYPD)	7/6/2020 ; 7/7/2020	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
		NYPD to DCPI at NYPD, with subject line “The Outlook – Monday, July 6, 2020.”					
5.	“Notes – CJB”	Twenty-six (26) page pdf document containing mixture of handwritten and typed notes and notations, some in bulleted lists, others in numeric outline format; some are preceded by labels such as “Critiques” or “Recommendations”	Assistant Chief Thomas Conforti	Notes and notations by Conforti regarding thoughts and ideas for possible inclusion in draft after-action report regarding police response to George Floyd related protests from May 25-June 30, 2020, including the author’s personal thoughts and ideas as to “critiques” and “recommendations” on various issues	N/A	Undated	Deliberative Process Privilege
6.	“Email Thread – Protest Deployment”	Email dated 7/17/2020 from Raymond Spinella, Chief of Support Services, NYPD Support Services Bureau, to Thomas Conforti, subject “Protest Deployment”	NYPD Chief of Support Services Raymond Spinella	Discussion of officer deployment to conduct social distancing enforcement and education, from May 28-June 14, 2020	Assistant Chief Thomas Conforti	7/17/20	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
7.	“Email – Lt. Brower Audio Request – Conforti Notes”	Fourteen (14)-page document comprised of one 3-page email dated 8/3/2020 from Lt. Peter Brower to Thomas Conforti, copying Richard Napolitano (NYPD), subject “Civil unrest audio request,” followed by 11 pages of notes by Conforti regarding NYPD policies and procedures on various subjects including body cameras, uses of force, right of the public to record police activity, etc.	Email – Lt. Peter Brower; Notes – Conforti	Email – Discussion of “attached” audio files of radio transmissions regarding incidents of violence against police at protests; Notes – interpretations, questions, and other thoughts about NYPD policies and procedures on various subjects including body cameras, uses of force, right of the public to record police activity, etc.	Email -- Assistant Chief Thomas Conforti; Notes – N/A	Email – 8/3/2020 ; Notes – Undated	Deliberative Process Privilege
8.	“McCauley, Daniel – Email Thread- CJB Analysis”	Print-out of 6-page email thread between Thomas Conforti and Lt. Daniel McCauley (NYPD Training	Emails -- Conforti and Lt. Daniel McCauley (NYPD Training	NYPD’s Criminal Justice Bureau analysis of protest enforcement from May 27-June 3, 2020, along with Conforti’s personal	Emails – Conforti and McCauley; Conforti notes – N/A	Emails – 7/6/20; Conforti notes – Undated	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
		Bureau) dated July 6, 2020 with subject, “CJB Analysis,” with handwritten notes by Conforti on some pages	Bureau); Notes -- Conforti	thoughts and opinions on the same.			
9.	“After Action Plan Final2”	Draft of after-action report regarding NYPD policing of George Floyd related protests in NYC from May 25 – June 30, 2020	Assistant Chief Conforti	Draft after-action review of protests in NYC between May 25-June 30, 2020, and response by NYPD, presenting the author’s personal opinions as to the efficacy of existing NYPD protocols for responding to mass demonstrations and other relevant protocols, as well as draft suggestions for amending certain agency policies and procedures	N/A	Undated	Deliberative Process Privilege
10.	“PC Briefing Protest”	Typed notes	Assistant Chief Conforti	Questions, thoughts, and other notes regarding disorder control training	N/A	Undated	Deliberative Process Privilege
11.	“After Action Discussion Document”	Summary of “main takeaways” from Conforti’s draft after action report regarding police	Assistant Chief Conforti	Summary of “main takeaways” from Conforti’s draft after action report regarding police response to George Floyd	N/A	Undated	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
		response to George Floyd protests from May 25-June 30, 2020, including Conforti's personal opinions, thoughts, and ideas for changes to NYPD policies and procedures		protests from May 25-June 30, 2020, including Conforti's personal opinions, thoughts, and ideas for changes to NYPD policies and procedures			
12.	"The NYPD is world renown"	Draft paragraph beginning, "The NYPD is world renown..."	Assistant Chief Conforti	Draft introductory paragraph to Conforti after action report regarding police response to George Floyd protests from May 25-June 30, 2020	N/A	Undated	Deliberative Process Privilege
13.	"De-arrest"	Draft 1-page section of Conforti after-action report	Assistant Chief Conforti	Draft 1-page section of Conforti after-action report regarding "de-arresting," a term activists use to describe actions to intervene in law enforcement arrests, containing Conforti's personal thoughts and opinions on the topic	N/A	Undated	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
14.	“Over this period”	Draft 2-paragraph section of Conforti after-action report, beginning with phrase, “Over this period...”	Assistant Chief Conforti	Draft 2-paragraph section of Conforti after-action report regarding City government observers at protests, including Conforti’s personal opinions and suggestions regarding this issue	N/A	Undated	Deliberative Process Privilege
15.	“Charts for after action”	Eleven (11)-page document containing draft charts, tables, and other draft graphics for inclusion in draft after-action report	Assistant Chief Conforti	Assemblage of draft charts, tables, and other draft graphics for inclusion in Conforti’s draft after-action report regarding police response to George Floyd protests from May 25-June 30, 2020	N/A	Undated	Deliberative Process Privilege
16.	“The Intelligence Bureau is the primary source...”	Two-page draft section of after-action report beginning with phrase, “The Intelligence Bureau is the primary source...”	Assistant Chief Conforti	Draft section of Conforti’s after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, regarding NYPD’s Intelligence Bureau, including Conforti’s personal thoughts, opinions, and ideas for changes to relevant NYPD policy and procedure	N/A	Undated	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
17.	“After Action. Andrews”	Thirty-six (36) page draft (or excerpt of draft) after-action report by Conforti, with tracked changes and comments in redline by Deputy Commissioner Andrews	Primary draft -- Assistant Chief Conforti; Tracked changes and comments – Deputy Comm’r Andrews	Draft of (or draft excerpt of) Conforti’s after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege
18.	“misc”	Three pages of rough notes and draft paragraphs on various topics for inclusion in Conforti’s draft after-action report	Assistant Chief Conforti	Three pages of rough notes and draft paragraphs, some containing placeholders for “recommendation,” on various topics for inclusion in Conforti’s draft after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege

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19.	“miscii”	One-page draft section for inclusion in Conforti’s draft after-action report	Assistant Chief Conforti	Draft version of some of Conforti’s personal thoughts, opinions, and recommendations as to certain NYPD policies and procedures involved in protest policing, for possible inclusion in draft after-action regarding police response to George Floyd protests from May 25-June 30, 2020	N/A	Undated	Deliberative Process Privilege
20.	“NYPD half and half Andrews edits”	Forty (40) page draft (or excerpt of draft) after-action report by Conforti, with highlighted questions and comments, likely by Deputy Commissioner Andrews	Primary draft -- Assistant Chief Conforti; Highlighted comments and questions – (Likely) Deputy Comm’r Andrews	Draft of (or draft excerpt of) Conforti’s after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege
21.	“NYPD half and half”	Forty-one (41) page draft (or excerpt of draft) after-action report by Conforti, with highlighted	Primary draft -- Assistant Chief Conforti; Highlighted comments	Draft of (or draft excerpt of) Conforti’s after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including	N/A	Undated	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
		questions and comments in text	and questions – Unknown (possibly Deputy Comm’r Andrews)	Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures			
22.	“NYPD half and half Andrews edits final”	Forty-one (41) page draft (or excerpt of draft) after-action report by Conforti, with highlighted questions and comments in text, likely inserted by Deputy Comm’r Andrews	Primary draft -- Assistant Chief Conforti; Highlighted comments and questions – Likely Deputy Comm’r Andrews	Draft of (or draft excerpt of) Conforti’s after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege
23.	“NYPD half and half Andrews edits final”	Forty (40) page draft (or excerpt of draft) after-action report by Conforti, with highlighted questions and comments, likely by Deputy Commissioner Andrews	Primary draft -- Assistant Chief Conforti; Highlighted comments and questions – Likely Deputy Comm’r Andrews	Draft of (or draft excerpt of) Conforti’s after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
24.	“After Action Plan Near final1”	Forty-two (42) page draft (or excerpt of draft) after-action report by Conforti, with highlighted questions and comments	Primary draft -- Assistant Chief Conforti; Highlighted comments and questions – Unknown (possibly Deputy Comm’r Andrews)	Draft of (or draft excerpt of) Conforti’s after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege
25.	“After Action Plan Near final”	Forty-three (43) page draft (or excerpt of draft) after-action report by Conforti, with highlighted questions and comments	Primary draft -- Assistant Chief Conforti; Highlighted comments and questions – Unknown (possibly Deputy Comm’r Andrews)	Draft of (or draft excerpt of) Conforti’s after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege
26.	“After Action Plan Near final. Andrews”	Forty-four (44) page draft (or excerpt of draft) after-action report by Conforti, with	Primary draft -- Assistant Chief Conforti; Highlighted	Draft of (or draft excerpt of) Conforti’s after-action report regarding police response to George Floyd protests from May 25-June	N/A	Undated	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
		highlighted questions and comments	comments and questions – Likely Deputy Comm’r Andrews	30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures			
27.	“Recommendation”	Four-page list of draft recommendations for inclusion in draft after-action report	Assistant Chief Conforti	List of 4 pages’ worth of Conforti’s personal thoughts and opinions for recommendations of changes to existing NYPD policies and procedures, plus new policies and procedures to implement	N/A	Undated	Deliberative Process Privilege
28.	“nypd addd”	Two-page document containing notes and roughly drafted paragraphs for inclusion in drfat after-action report	Assistant Chief Conforti	Notes and rough drafts of paragraphs on various unrelated topics for possible inclusion in Conforti’s draft after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
29.	“Additional Findings”	Draft paragraph titled “Additional Findings” for possible inclusion in draft after-action report	Assistant Chief Conforti	Draft paragraph titled “Additional Findings” for possible inclusion in draft after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege
30.	“Technology played an important role...”	One-page draft section for possible inclusion in draft after-action report, beginning with phrase, “Technology played an important role...”	Assistant Chief Conforti	One-page draft section for possible inclusion in draft after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege
31.	“Timeline George Floyd v2”	Five-page document containing draft outline in bulleted list form, with	Assistant Chief Conforti	Draft outline in bulleted list form, with yellows highlighting, and comments and questions in bolded text; possibly for	N/A	Undated	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
		yellows highlighting, and comments and questions in bolded text; possibly for inclusion in draft after-action report		inclusion in draft after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti's personal thoughts, opinions, and ideas for changes to NYPD policies and procedures			
32.	"Timeline George Floyd v1"	Five-page document containing draft outline in bulleted list form, with comments and questions in bolded text, created in connection with draft after-action report	Assistant Chief Conforti	Draft outline in bulleted list form, with comments and questions in bolded text; created in connection with and possibly for inclusion in, draft after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti's personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege

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33.	“Organized Gatherings Section”	Draft one-page section regarding “Organized Gatherings,” for inclusion in draft after-action report	Assistant Chief Conforti	Draft section regarding “Organized Gatherings,” for inclusion in draft after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege
34.	“After Action”	Two-page document containing notes and notations, mostly phrases and incomplete sentences or questions, created in connection with draft after-action report	Assistant Chief Conforti	Two-page document containing notes and notations, mostly phrases and incomplete sentences or questions, created in connection with draft after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	N/A	Undated	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
35.	“PowerPoint Presentation”	PowerPoint presentation prepared and by Conforti delivered to NYPD executives on 9/29/2020, based on Conforti’s draft after-action report and setting forth his personal thoughts, conclusions, and recommendations resulting from his review process	Assistant Chief Conforti	PowerPoint presentation prepared and by Conforti delivered to NYPD executives on 9/29/2020, based on Conforti’s draft after-action report and setting forth his personal thoughts, conclusions, and recommendations resulting from his review process	The presentation was delivered by Conforti to various NYPD executives on 9/29/2020, whose specific identities are unknown as of the present date	9/29/20	Deliberative Process Privilege
36.	“Emails with John Miller”	Emails exchanged between Assistant Chief Conforti and NYPD Deputy Comm’r for Intelligence & Counterterrorism John Miller in early August 2020, regarding Miller’s thoughts and opinions for edits and revisions to Conforti’s draft after-action report	Draft after-action report -- Assistant Chief Conforti; Emails containing thoughts and ideas for edits and revisions to draft report – Deputy Comm’r Miller	Emails exchanged between Assistant Chief Conforti and NYPD Deputy Comm’r for Intelligence & Counterterrorism John Miller in early August 2020, regarding Miller’s thoughts and opinions for edits and revisions to Conforti’s draft after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s	Conforti and Miller	Early Aug. 2020	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
				personal thoughts, opinions, and ideas for changes to NYPD policies and procedures			
37.	“Incomplete draft after-action report 9/11/20 – Andrews feedback”	Incomplete draft of Conforti’s after-action report with redline changes, comments and questions by Deputy Comm’r Andrews	Draft after-action report -- Assistant Chief Conforti; Tracked Changes, comments, and questions -- Deputy Comm’r Andrews	Redline changes, comments and questions by Deputy Commissioner Andrews visible in incomplete draft version of Conforti’s draft after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti’s personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	Conforti and Andrews	9/11/20	Deliberative Process Privilege
38.	“Incomplete draft after-action report 9/11/20 – Miller feedback”	Incomplete draft of Conforti’s after-action report with redline changes, comments and questions by Deputy Comm’r Miller	Draft after-action report -- Assistant Chief Conforti; Tracked Changes, comments, and questions	Redline changes, comments and questions by Deputy Commissioner Miller visible in incomplete draft version of Conforti’s draft after-action report regarding police response to George Floyd protests from May	Conforti and Miller	9/11/20	Deliberative Process Privilege

	Title	Document Type	Author	Subject Matter	Recipients	Date	Privilege Asserted
			-- Deputy Comm'r Miller	25-June 30, 2020, including Conforti's personal thoughts, opinions, and ideas for changes to NYPD policies and procedures			
39.	"Incomplete draft after-action report 9/11/20 – Mauro feedback"	Incomplete draft of Conforti's after-action report with redline changes, comments and questions by Inspector Mauro, then-Commanding Officer of NYPD Legal Bureau	Draft after-action report -- Assistant Chief Conforti; Tracked Changes, comments, and questions – CO Mauro	Redline changes, comments and questions by CO Mauro visible in incomplete draft version of Conforti's draft after-action report regarding police response to George Floyd protests from May 25-June 30, 2020, including Conforti's personal thoughts, opinions, and ideas for changes to NYPD policies and procedures	Conforti and Mauro	9/11/20	Deliberative Process Privilege